

## REMARKS

In the Final Office Action dated October 8, 2004, the Examiner took the following action: (1) rejected claims 1-52 under 35 USC §112, ¶1, as failing to comply with the written description requirement; (2) rejected claims 1-21 under 35 USC §102(b) as being anticipated by Dougherty (U.S. 5,539,624); (3) rejected claims 22-23, 26, 29-30, 33, 36, 47-48, and 52 under 35 USC §102(b) as being anticipated by Strasser (U.S. 6,257,750); and (4) rejected claims 22-52 under 35 USC §103(a) as being unpatentable over Dougherty in view of Strasser and Newman (U.S. 4,633,376). Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the following remarks.

In response to the Examiner's rejections under 35 USC §112, ¶1, Applicants respectfully submit that independent claims 22, 29, 38, and 47 did not include such limitations, and therefore, were erroneously included in the Examiner's rejection under 35 USC §112, ¶1. Also, Applicants respectfully submit that support for the limitation(s) regarding the luminescent members being activated by the receiver exists in the specification at, for example, page 7, lines 23-26. Nevertheless, Applicants hereby request that all claims that include the limitation(s) regarding the luminescent members being activated by the receiver be canceled without prejudice and without further comment on the merits of this rejection.

Applicants further request to amend independent claims 22, 29, 38, and 47 to recite that the conduit includes a wall member *having an electroluminescent coating disposed on an outer surface thereof*. Support for this limitation is found in the specification beginning on page 6, line 20, and extending to page 7, line 3. More specifically, Applicants teach that an electroluminescent coating (*e.g.* electroluminescent paint) may be applied to outer surface of the refueling conduit at page 6, lines 24-25.

Applicants submit that the cited references fail to disclose, teach, or fairly suggest *an electroluminescent coating disposed on an outer surface* of the conduit as recited in Applicants' claims 22, 29, 38, and 47. Strasser teaches illuminating a fire hose using either a "chemiluminescent cable or line" or "light emitting diodes." (2:35-36; 3:35-45; 3:54-4:6). Applicants respectfully submit that neither the chemiluminescent cable (or line) or the light

emitting diodes taught by Strasser disclose, teach, or fairly suggest having *an electroluminescent coating disposed on an outer surface* of the conduit as taught by Applicants. Chemiluminescent materials emit light when two or more chemicals are mixed together, as opposed to electroluminescent materials which emit light when subjected to an electrical field. Furthermore, both the chemiluminescent cable and the LED's taught by Strasser are discrete devices fixed on the hose, and are not *electroluminescent coatings (e.g electroluminescent paint) disposed on an outer surface* of the conduit as taught by Applicants.

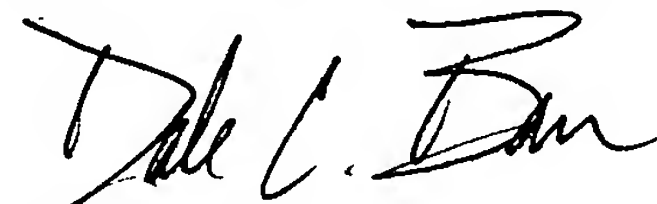
Applicants respectfully submit that claims independent claims 22, 29, 38, and 47, as well as dependent claims 23, 26-28, 30, 33-37, 39, 42-46, 48, and 51-52, define over the prior art and are patentable.

### CONCLUSION

Following the above-proposed amendments, claims 22-23, 26-28-30, 33-39, 42-48, and 51-52 would be pending. Because the proposed amendments place all pending claims in condition for allowance, Applicants respectfully request that the Examiner allow the proposed amendments, and reconsider and withdraw the rejections of all pending claims. If there are any remaining matters or concerns that may be handled by telephone, the Examiner is kindly invited to telephone the undersigned.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



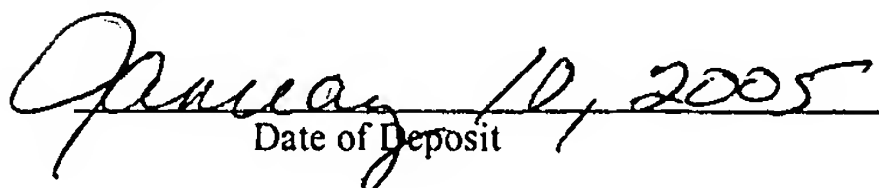
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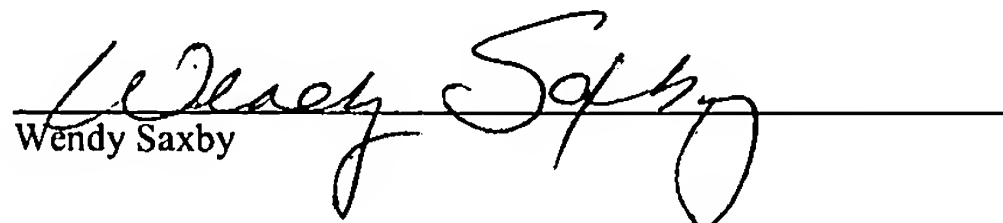
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